

REMARKS

Claims 1 and 24 have been amended. Claims 3, 4, 13-23 and 25 have been canceled. Claims 27 - 29 have been added. No new matter has been added. Support for the amendments to claims 1 and 24 can be found in paragraph [0012]. Support for new claims 27 - 29 can be found in paragraphs [0028]. Thus, claims 1, 2, 5-12, 24 and 26 - 29 are now pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

Claims 1, 2, 5-11, 24, and 26 stand rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 5,980,514 to Kupiecki et al. (hereinafter "Kupeicki") in view of U.S. Patent No. 6,287,318 to Villar et al. (hereinafter "Villar").

Amended claim 1 recites an embolic coil comprising "an elongated core element formed of a shape memory material treated to define a memorized coil shape," "an elongated outer element wound around the elongated core element to define a primary coil shape of the embolic coil," and "a plurality of fibers gripped by adjacent coils of the primary coil and held in place therebetween by friction."

The Examiner correctly stated that Kupeicki does not show or suggest a coil having fibers as recited in claim 1. (See 4/25/2007 Office Action, page 2, line 24). It is respectfully submitted that Villar does not cure this deficiency because it does not teach or suggest "a plurality of fibers *gripped by adjacent coils of the primary coil and held in place therebetween by friction,*" as recited in claim 1. Villar discloses that the fibers are looped through the turns of the coil because the looping filaments provide the resulting device with a lower overall effective diameter for ease of delivery. (See Villar, col. 4, lines 53-58). It is respectfully submitted that the looping filaments do not meet the limitation of being "held in place [between the coils] by friction."

Thus, it is therefore respectfully submitted that neither Kupiecki nor Villar, either alone

or in combination, disclose or suggest an embolic coil comprising “a plurality of fibers gripped by adjacent coils of the primary coil and held in place therebetween by friction,” as recited in claim 1. Accordingly, it is respectfully submitted that claim 1 is allowable. Because claims 2 and 5 - 11 depend from and, therefore, include all the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

Claim 24 recites “a coiled medical device for implantation in a patient” comprising “a primary coil having a primary coil shape, the primary coil defining a lumen extending therethrough,” “a secondary coil formed of a shape memory material and disposed in the lumen, the secondary coil having a secondary coil memorized shape, wherein, when heated to a temperature above a critical temperature of the shape memory material, the secondary coil causes the primary coil to follow the secondary coil shape,” and “a plurality of fibers gripped by adjacent coils of the primary coil and held in place therebetween by friction.” Thus, it is respectfully submitted that claim 24 is also allowable for at least the same reasons stated above with reference to claim 1. Because claim 26 depends from and, therefore, includes all the limitations of claim 24, it is respectfully submitted that claim 26 is also be allowable.

Claim 5 stands rejected as unpatentable over Kupeicki as a Product by Process limitation under MPEP 2113. However, the Examiner admitted that Kupeicki does not show or suggest a coil having fibers, as recited in claim 1. (See 4/25/2007 Office Action, page 2, line 24). Therefore, it is respectfully submitted that Kupiecki does not disclose the same or similar product because the present invention also comprises “a plurality of fibers gripped by adjacent coils of the primary coil and held in place therebetween by friction,” as recited in claim 1. Because claim 5 depends from and, therefore, includes all the limitations of claim 1, it is respectfully submitted that claim 5 is allowable.

Claims 5 and 12 stand rejected under 35 U.S.C. 103(a) as unpatentable over Kupiecki in view of U.S. Patent No. 6,171,326 to Ferrera et al. (hereinafter “Ferrera”). Kupiecki was discussed above.

The Examiner correctly stated that Kupeicki does not show or suggest a coil having fibers, as recited in claim 1. (See 4/25/2007 Office Action, page 2, line 24). Ferrera also does not disclose nor suggest a coil having “a plurality of fibers gripped by adjacent coils of the primary coil and held in place therebetween by friction,” as recited in claim 1.

Thus, it is therefore respectfully submitted that neither Kupiecki nor Ferrera, either alone or in combination, disclose nor suggest an embolic coil comprising “a plurality of fibers gripped by adjacent coils of the primary coil and held in place therebetween by friction,” as recited in claim 1. Because claims 5 and 12 depend from and, therefore, include all the limitations of claim 1, it is respectfully submitted that claims 5 and 12 are allowable.

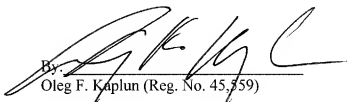
New claim 27 recites an embolic coil comprising “an elongated core element formed of a shape memory material treated to define a memorized secondary coil shape, the elongated core including a plurality of fiber retention grooves formed in an outer surface thereof” and “an elongated outer element wound around the elongated core element to define a primary coil shape of the embolic coil” in combination with “a plurality of fibers held within the first fiber retention grooves.”

It is respectfully submitted that this combination is also neither taught nor suggested by the prior art.

In view of the remarks submitted above, the Applicant respectfully submits that the present case is in condition for allowance. All issues raised by the Examiner have been addressed, and a favorable action on the merits is thus earnestly requested.

Respectfully submitted,

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